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In re: Ross W. Callon et al.
Case: IBN-0002 Application No.: 09/113,491 Filing date: 07/10/1998
Art Unit: 2665 Examiner: Toan Nguyen
Subject: System and Method for Facilitating Recovery from Communication Link Failures in a Digital Data Network

Certificate of Transmission under 37 CFR 1.8

Attention: Toan Nguyen, Examiner

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3. Copy of Notice of Non-Compliant Amendment - 2 sheets
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit 2665
Examiner Toan Nguyen

In Re: Ross W. Callon et al.
Case: IBN-0002
Serial No.: 09/113,491
Filed: July 10, 1998
Subject: System and Method for Facilitating Recovery from
Communication Link Failures in a Digital Data Network

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To the Commissioner for Patent
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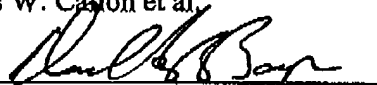
Response to Notice of Non-Compliant Amendment

A notice of non-compliant amendment was received in the above-referenced case, mailed by the Office on 9/29/2003, stating that the amendment document filed on 9/05/03 is not compliant because it fails to list cancelled claims 39-143.

In response the applicant has corrected the amendment filed on 09/05/03 and submits herewith a corrected paper. The applicant respectfully requests that the corrected amendment paper be accepted and entered into the case to be dealt with by the Examiner.

Respectfully Submitted,
Ross W. Callon et al.

by


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45512



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/113,491	07/10/1998	ROSS W. CALLON	IBN-0002	8100

24739 7590 09/29/2003

CENTRAL COAST PATENT AGENCY
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EXAMINER

NGUYEN, TOAN D

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

non compliant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 2023
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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 09-5-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Cancelled Claims 39-143 not listed

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Marcia Gordon
Legal Instruments Examiner (LIE)

July 22, 2003 (rev.)